

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

MARTIN PATINO,

Defendant.

NO. CR-08-2082-FVS

ORDER GRANTING MOTION FOR
RECONSIDERATION (**Ct Rec. 31**)
AND ORDER GRANTING MOTION TO
EXPEDITE (**Ct Rec. 34**)

This matter came before the Court for a bail review hearing October 1, 2006. The government was represented by Thomas Hanlon and defendant was present with counsel, Rick Hoffman

The defendant moved for reconsideration of detention and requested release on conditions stating there are conditions which would reasonably assure defendant's appearance as required. The defendant moved for the reconsideration hearing to be on an expedited basis. The Court **granted** defendant's motion to expedite. (**Ct. Rec. 34**)

The government informed the Court it was not opposed to defendant being released on conditions.

This court has taken into account the recommendations of counsel and the evidence and information produced at this hearing and record concerning appearance at court proceedings.

The Court found there are conditions that can be imposed that will reasonably assure defendant's appearance at future court hearings as required.

The Court **granted** defendant's motion for reconsideration. (**Ct Rec. 31**) .

ORDER GRANTING MOTION TO REOPEN
AND ORDER GRANTING RELEASE
FOLLOWING BAIL REVIEW HEARING

1 **IT IS ORDERED** that the defendant shall be released subject to
2 the following conditions:

3 1. The defendant shall not commit any offense in violation of
4 federal, state or local law. If the defendant does have contact
5 with law enforcement, the defendant shall contact his attorney and
6 U.S. Probation within 24 hours.

7 2. The defendant shall advise the court and the U. S.
8 attorney in writing before any change in address.

9 3. The defendant shall appear at all proceedings as required
10 and shall surrender for service of any sentence imposed as
11 directed.

12 4. The defendant shall sign and complete form A.O. 199C
13 before being released and shall reside at the address furnished.
14 U.S. Probation shall check and confirm the residence prior to
15 defendant's release.

16 5. The defendant shall remain in the Eastern District of
17 Washington while the case is pending. On a showing of necessity,
18 the defendant may obtain written permission from U.S. Probation to
19 travel outside the Eastern District of Washington.

20 6. The defendant shall maintain or actively seek
21 employment.

22 7. The defendant shall not possess a firearm, destructive
23 device or other dangerous weapon.

24 8. Defendant is further advised, pursuant to 18 U.S.C. §
25 922(n), it is unlawful for any person who is under indictment for
26 a crime punishable by imprisonment for a term exceeding one year
27 to ship or transport in interstate or foreign commerce any firearm
28

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FOLLOWING BAIL REVIEW HEARING

1 or ammunition or receive any firearm or ammunition which has been
2 shipped or transported in interstate or foreign commerce.

3 9. The defendant shall refrain from the use of alcohol, and
4 the use or possession of a narcotic drug and other controlled
5 substances defined in 21 U.S.C. § 802 unless prescribed by a
6 licensed medical practitioner. Defendant shall undergo a
7 substance abuse evaluation and complete treatment indicated by
8 this evaluation. Defendant shall submit to
9 urinalysis/breathalyser testing at the discretion of the probation
10 officer. Defendant shall be responsible for the cost of testing,
11 evaluation and treatment unless the United States Probation Office
12 should determine otherwise. The United States Probation Office
13 shall also determine the time and place of testing and evaluation
14 and the scope of treatment but shall only conduct any testing at a
15 public facility.

16 10. The defendant shall phone his attorney at least once per
17 week and as directed.

18 11. The defendant shall report to the United States
19 Probation Office within 24 hours of his release and shall report
20 at such times and in such manner as they direct.

21 **You are advised that a violation of any of the foregoing**
22 **conditions of release may result in the immediate issuance of a**
23 **warrant for your arrest, revocation of your release and**
24 **prosecution for contempt of court which could provide for**
25 **imprisonment, a fine or both. Specifically, you are advised that**
26 **a separate offense is established by the knowing failure to appear**
27 **and that an additional sentence may be imposed for the commission**
28

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1 of a crime while on this release. In this regard, any sentence
2 imposed for these violations is consecutive to any other sentence
3 you may incur.

4 DATED this 1st day of October, 2008.

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6 s/James P. Hutton
JAMES P. HUTTON
7 United States Magistrate Judge
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